Case 1:02-cv-00648-WDQ Document 177-38 Filed 03/09/2007 Page 1 of 5

EXHIBIT OO

Page 1

UNITED STATES DISTRICT COURT

DISTRICT OF MARYLAND

EQUAL EMPLOYMENT OPPORTUNITY :

COMMISSION,

Plaintiff : Case No:

and : WDQ-02-CV-648

KATHY KOCH,

Plaintiff-Intervenor :

vs.

LA WEIGHT LOSS,

Defendant :

Rockville, Maryland

Tuesday, June 7, 2005

Deposition of

MELINDA TEMPLE-PASSIN

the witness, was called for examination by counsel for the plaintiff, at the Law Offices of Hoffman & Rubin, 966 Hungerford Drive, Suite 22, Rockville, Maryland, 20850, commencing at 9:45 a.m., before Hedy D. Blau,

MGB REPORTING, INC. 1-800-245-2528 or 301-983-9315

1 you answer the question? 2 A. Okay. 3 Q. And also, at the end of the 4 deposition, you will have an opportunity to 5 tell the court reporter whether or not you wish 6 to review the transcript of your deposition for 7 accuracy. You have a right as a witness to do 8 that, and she can make arrangements with you to 9 give you an opportunity to read the transcript 10 and see if everything is accurate. 11 A. Roy's Place. 2 Q. Roy's Place. 3 A. Yes. 4 Q. Have you ever worked for LA Weight 5 Loss? 6 A. Yes. 7 Q. When did you begin working for LA 8 Weight Loss? 9 A. It was in 2001. I take that back, 10 wrong, wrong. It was either at the end of '98 11 or the beginning of '99. 12 Q. Has your last name always been 13 let her know whether or not you wish to do 14 that. 14 A. No, it hasn't. It was Temple when I		Page 6		Page 8
2 if be rephrased, we will certainly do that, 3 either myself or Aliza. 4 A. Okay. 5 Q. Similarly, if you didn't hear part of 6 a question or if Aliza and I have been talking, 7 and you don't remember the question, if you 8 could ask that it be repeated, we will do that 9 for you. 10 A. Okay. 11 Q. If you do answer a question today, we will assume that you understood it. Is that 13 fair? 14 A. Yes. 15 Q. It's best that we speak one person at 16 a time. It tends to cause problems if there's 17 two people speaking at once. So, if we can 18 both try to do that. 19 A. Yes. 20 Q. If either of the attorneys, myself or 21 Aliza, make an objection today, if you could 22 just wait for us to finish our objection before Page 7 1 you answer the question? 2 A. Okay. 3 Q. Do you have any intention of moving from that address, say, in the next year-and-a-half? 6 A. No. 7 Q. Could you state your social security number, please? 9 A. 224-66-1239. Q. And your date of birth? 11 A. Yes. 12 Q. Where are you employed? 13 A. Yes. 14 Q. Where are you employed? 15 A. It's a restaurant. Q. Where is that located? 16 A. No. 17 A. 4/5/62. Q. Are you currently employed? A. It's a restaurant. Q. Where is that located? 18 A. It's in Gaithersburg, Old Towne 19 Gaithersburg. Q. Roy's Place. Q. Roy's Place. Q. Roy's Place. Q. Roy's Place? A. Yes. Q. Have you ever worked for LA Weight Loss? A. Yes. Q. Have you ever worked for LA Weight Loss? A. It was in 2001. I take that back, wrong, wrong. It was either at the end of '98 or the beginning of '99. Q. Has your last name always been 13 I et her know whether or not you wish to do that. A. Okay. A. No. C. Ould you state your social security number, please? A. No. Q. And your date of birth? A. A. Yes. 12 Q. Are you currently employed? A. It's a restaurant. Q. Where is that located? A. It's in Gaithersburg. Q. Roy's Place. Q. Roy's Place. Q. Roy's Place. Q. Have you ever worked for LA Weight Loss? A. Yes. Q. Have you ever worked for LA Weight Loss? A. It's in Gaithersburg. Q. Have you ever worked for	1	that you're asked today, if you could ask that	1	part of the year?
acuracy. You have any intention of moving for Maliza. A. Okay. Similarly, if you didn't hear part of a question or if Aliza and I have been talking, and you don't remember the question, if you could ask that it be repeated, we will do that for you. A. Okay. A. Okay. A. Okay. O. Could you state your social security number, please? A. No. Q. Could you state your social security number, please? A. Okay. O. Do you have any intention of moving from that address, say, in the next year-and-a-half? A. No. Q. Could you state your social security number, please? A. Okay. O. And your date of birth? A. 4/5/62. Q. Are you currently employed? A. Roy Passin, Incorporated. A. Yes. O. If sither of the attorneys, myself or A. It's a restaurant. Doth try to do that. A. Yes. O. If either of the attorneys, myself or Aliza, make an objection today, if you could yus tate your social security number, please? A. Yes. Q. And your date of birth? A. 4/5/62. Q. Where are you currently employed? A. Roy Passin, Incorporated. A. It's a restaurant. Q. Where is that located? A. It's in Gaithersburg, Old Towne Gaithersburg. Q. Is there like a trade name of the restaurant? Page 7 you answer the question? A. No. A. A 224-66-1239. Q. Are you currently employed? A. Roy Passin, Incorporated. In Gaithersburg, Old Towne Gaithersburg. A. It's in Gaithersburg, Old Towne Gaithersburg. Q. Is there like a trade name of the restaurant? Page 7 A. Yes. Q. Have you ever worked for LA Weight Loss? A. Yes. Q. When did you begin working for LA Weight Loss? A. It was in 2001. I take that back, wrong, wrong. It was either at the end of '98 or the beginning of '99. Q. Has your last name always been Temple-Passin? A. No, it hasn't. It was Temple when I	2			
4 A. Okay. 5 Q. Similarly, if you didn't hear part of 6 a question or if Aliza and I have been talking, 7 and you don't remember the question, if you 8 could ask that it be repeated, we will do that 9 for you. 10 A. Okay. 11 Q. If you do answer a question today, we will assume that you understood it. Is that fair? 12 Q. If you do answer a question today, we will assume that you understood it. Is that fair? 14 A. Yes. 15 Q. If s best that we speak one person at a time. It tends to cause problems if there's two people speaking at once. So, if we can both try to do that. 18 both try to do that. 19 A. Yes. 20 Q. If either of the attorneys, myself or Aliza, make an objection today, if you could 22 just wait for us to finish our objection before 10 Q. If either of the attorneys, myself or Aliza, make an objection today, if you could 22 just wait for us to finish our objection before 10 A. Okay. 11 A. Roy's Place. 12 Q. Roy's Place. 12 Q. Roy's Place. 13 A. Yes. 14 A. Roy's Place. 15 A. Roy's Place. 16 Gaithersburg. 17 A. Roy's Place. 18 A. Roy's Place. 19 A. Roy's Place. 20 Q. Roy's Place? 3 Q. And also, at the end of the deposition, you will have an opportunity to tell the court reporter whether or not you wish to do that, and she can make arrangements with you to give you an opportunity to read the transcript of your deposition for accuracy. You have a right as a witness to do that, and she can make arrangements with you to give you an opportunity to read the transcript of your deposition for accuracy. You have a right as a witness to do that, and she can make arrangements with you to give you an opportunity to read the transcript of your deposition for accuracy. You have a right as a witness to do that, and she can make arrangements with you to give you an opportunity to read the transcript of your deposition for accuracy. You have a right as a witness to do that, and she can make arrangements with you to give you an opportunity to read the transcript of your deposition for accuracy. You have a right as a witnes	3		1	
5 Q. Similarly, if you didn't hear part of 6 a question or if Aliza and I have been talking, 7 and you don't remember the question, if you 8 could ask that it be repeated, we will do that 9 for you. 10 A. Okay. 11 Q. If you do answer a question today, we 12 will assume that you understood it. Is that 13 fair? 14 A. Yes. 15 Q. It's best that we speak one person at 16 a time. It tends to cause problems if there's 17 two people speaking at once. So, if we can 18 both try to do that. 19 A. Yes. 20 Q. If either of the attorneys, myself or 21 Aliza, make an objection today, if you could 22 just wait for us to finish our objection before Page 7 1 you answer the question? 2 A. Okay. 3 Q. And also, at the end of the 4 deposition, you will have an opportunity to 5 tell the court reporter whether or not you wish 6 to review the transcript of your deposition for 7 accuracy. You have a right as a witness to do 8 that, and she can make arrangements with you to 9 give you an opportunity to read the transcript 10 and see if everything is accurate. 11 A. Okay. 12 Q. So, at the end of the deposition just 13 let her know whether or not you wish to do that. 14 Usear-and-a-half? A. No. A. No. C. Could you state your social security number, please? 9 A. 224-66-1239. 10 Q. And your date of birth? 11 A. 4/5/62. 12 Q. Are you currently employed? 12 Q. Where are you employed? 13 A. Yes. 14 Weyen a restaurant. 16 Q. Where is that located? 19 A. It's a restaurant. 18 Q. Where is that located? 19 A. It's in Gaithersburg, Old Towne Gaithersburg. Q. Is there like a trade name of the restaurant? 12 Q. Roy's Place. 2 Q. Roy's Place? 3 A. Yes. 4 Q. Have you ever worked for LA Weight 15 Loss? 4 A. Yes. 16 Q. What is Roy Passin, Incorporated? 17 A. It's a restaurant. 18 Q. Where is that located? 19 A. It's in Gaithersburg, Old Towne 19 A. Roy	4		1	
a question or if Aliza and I have been talking, and you don't remember the question, if you could ask that it be repeated, we will do that for you. A. Okay. A. Okay. A. Yes. A. Yes. C. It's best that we speak one person at a time. It tends to cause problems if there's two people speaking at once. So, if we can both try to do that. B. A. Yes. C. If either of the attorneys, myself or Aliza, make an objection today, if you could 22 just wait for us to finish our objection before Page 7 you answer the question? A. Okay. C. And your date of birth? A. 4/5/62. Q. Are you currently employed? A. Yes. Where are you employed? A. Roy Passin, Incorporated. What is Roy Passin, Incorporated. A. It's in Gaithersburg, Old Towne Gaithersburg. A. It's in Gaithersburg, Old Towne Gaithersburg. A. Roy's Place. You answer the question? A. Roy's Place. Q. Roy's Place. Q. Roy's Place. Q. Where is that located? A. Yes. A. Okay. Q. And also, at the end of the deposition, you will have an opportunity to tell the court reporter whether or not you wish to review the transcript of your deposition for accuracy. You have a right as a witness to do that, and she can make arrangements with you to give you an opportunity to read the transcript and see if everything is accurate. A. Okay. Q. So, at the end of the deposition just let her know whether or not you wish to do that. A. Okay. Q. So, at the end of the deposition just let her know whether or not you wish to do that. A. Okay. Q. So, at the end of the deposition just let her know whether or not you wish to do that. A. Okay. A. It's a restaurant? Page 7 A. Roy's Place. Q. Roy's Place. Q. When did you begin working for LA Weight Loss? A. Yes. Q. When did you begin working for LA Weight Loss? A. It's a restaurant? Page 7 A. Yes. A. Roy's Place. Q. Have you ever worked for LA Weight Loss? A. Yes. Q. Have you ever worked for LA Weight Loss? A. It's a restaurant? A. Havas in 2001. I take that back, wrong, wrong. It was either at the end of '98 o	5		i .	
and you don't remember the question, if you could ask that it be repeated, we will do that for you. A. Okay. I. Q. If you do answer a question today, we will assume that you understood it. Is that fair? A. Yes. I. Q. It's best that we speak one person at a time. It tends to cause problems if there's two people speaking at once. So, if we can both try to do that. Both try to do that. A. Yes. Q. If either of the attorneys, myself or Aliza, make an objection today, if you could just wait for us to finish our objection before Page 7 you answer the question? A. Okay. A. Yes. Q. Mre you currently employed? A. Yes. Q. What is Roy Passin, Incorporated? A. It's a restaurant. Q. Where is that located? A. It's in Gaithersburg, Old Towne Gaithersburg. Q. Is there like a trade name of the restaurant? Page 7 you answer the question? A. Okay. Q. And also, at the end of the deposition, you will have an opportunity to tell the court reporter whether or not you wish to review the transcript of your deposition for accuracy. You have a right as a witness to do that, and she can make arrangements with you to give you an opportunity to read the transcript and see if everything is accurate. A. Okay. Q. So, at the end of the deposition just left her know whether or not you wish to do that. A. Okay. A. A Yes. Q. Have you ever worked for LA Weight Loss? Q. When did you begin working for LA Weight Loss? Q. Has your last name always been or the beginning of '99. Q. Has your last name always been Temple-Passin? A. No, it hasn't. It was Temple when I				-
8 could ask that it be repeated, we will do that 9 for you. 10 A. Okay. 11 Q. If you do answer a question today, we 11 will assume that you understood it. Is that 11 fair? 12 will assume that you understood it. Is that 13 fair? 14 A. Yes. 15 Q. It's best that we speak one person at 16 a time. It tends to cause problems if there's 17 two people speaking at once. So, if we can 18 both try to do that. 19 A. Yes. 20 Q. If either of the attorneys, myself or 21 Aliza, make an objection today, if you could 22 just wait for us to finish our objection before Page 7 1 you answer the question? 2 A. Okay. 3 Q. And also, at the end of the 4 deposition, you will have an opportunity to 5 tell the court reporter whether or not you wish 6 to review the transcript of your deposition for 7 accuracy. You have a right as a witness to do 8 that, and she can make arrangements with you to 9 give you an opportunity to read the transcript and see if everything is accurate. 11 A. Okay. Q. So, at the end of the deposition just 12 let her know whether or not you wish to do 14 that. 8 number, please? A. 224-66-1239. A. A4/5/62. A. Ares. Q. Where are you employed? A. Roy Passin, Incorporated. 11 A. Roy Passin, Incorporated? A. It's in Gaithersburg, Old Towne Gaithersburg. Q. Is there like a trade name of the restaurant? Page 1 A. Roy's Place. 2 Q. Roy's Place. 2 Q. Roy's Place. 3 A. Yes. 4 Q. Have you ever worked for LA Weight Loss? 4 A. Yes. 7 Q. Have you ever worked for LA Weight Loss? 9 A. It was in 2001. I take that back, wrong, wrong. It was either at the end of '98 or the beginning of '99. Q. Has your last name always been 11 The plant of the deposition point in the point in	7		1	
9 for you. 10 A. Okay. 11 Q. If you do answer a question today, we will assume that you understood it. Is that fair? 12 will assume that you understood it. Is that fair? 13 A. Yes. 14 A. Yes. 15 Q. It's best that we speak one person at a time. It tends to cause problems if there's two people speaking at once. So, if we can both try to do that. 18 both try to do that. 19 A. Yes. 20 Q. If either of the attorneys, myself or Aliza, make an objection today, if you could just wait for us to finish our objection before 21 Aloxa, make an objection today, if you could close tell the court reporter whether or not you wish to to review the transcript of your deposition for accuracy. You have a right as a witness to do that, and she can make arrangements with you to give you an opportunity to read the transcript and see if everything is accurate. 10 A. Okay. 20 Q. So, at the end of the deposition just let her know whether or not you wish to do that. 21 A. Okay. 22 Q. So, at the end of the deposition just let her know whether or not you wish to do that. 23 A. Yes. 24 Q. Where are you currently employed? 25 A. Roy Passin, Incorporated. 26 Q. What is Roy Passin, Incorporated? 27 A. It's in Gaithersburg, Old Towne 28 Gaithersburg. 29 Q. Is there like a trade name of the restaurant? 20 Q. Roy's Place. 21 A. Yes. 22 Q. Roy's Place. 23 A. Yes. 44 Q. Have you ever worked for LA Weight Loss? 45 A. Yes. 66 A. Yes. 67 Q. When did you begin working for LA Weight Loss? 68 A. Yes. 69 Q. So, at the end of the deposition just let her know whether or not you wish to do that. 60 A. Okay. 60 A. It's a restaurant. 71 A. It's in Gaithersburg. 72 Q. Roy's Place. 73 A. Yes. 74 Q. Have you ever worked for LA Weight Loss? 75 A. It was in 2001. I take that back, wrong, wrong. It was either at the end of '98 or the beginning of '99. 61 A. Okay. 62 A. Okay. 63 A. Yes. 64 A. Yes. 65 A. Yes. 66 A. Yes. 67 Q. When did you begin working for LA Weight Loss? 68 A. Yes. 79 Q. So, at the end of the deposition just let her know whether or not you wish to do t	1		1	
10 A. Okay. 11 Q. If you do answer a question today, we 12 will assume that you understood it. Is that 13 fair? 14 A. Yes. 15 Q. It's best that we speak one person at 16 a time. It tends to cause problems if there's 17 two people speaking at once. So, if we can 18 both try to do that. 19 A. Yes. 20 Q. If either of the attorneys, myself or 21 Aliza, make an objection today, if you could 22 just wait for us to finish our objection before 21 Aliza, make an objection today, if you could 22 just wait for us to finish our objection before 2 A. Okay. 3 Q. And also, at the end of the 4 deposition, you will have an opportunity to 5 tell the court reporter whether or not you wish 6 to review the transcript of your deposition for 7 accuracy. You have a right as a witness to do 8 that, and she can make arrangements with you to 9 give you an opportunity to read the transcript 10 and see if everything is accurate. 11 A. Okay. 20 Q. So, at the end of the deposition just 12 Q. And your date of birth? 12 Q. Are you currently employed? 14 A. Yes. 15 A. Yes. 16 Q. What is Roy Passin, Incorporated? 16 Q. Where is that located? 17 A. It's a restaurant. 18 Q. Where is that located? 19 A. It's in Gaithersburg, Old Towne Gaithersburg. 20 Gaithersburg. 21 Q. Is there like a trade name of the restaurant? 22 Q. Roy's Place. 23 A. Yes. 4 Q. Have you ever worked for LA Weight 4 Loss? 4 Q. Have you ever worked for LA Weight 5 Loss? 6 A. Yes. 7 Q. When did you begin working for LA 8 Weight Loss? A. It was in 2001. I take that back, wrong, wrong. It was either at the end of '98 or the beginning of '99. 24 Q. Hasy your last name always been 15 A. Roy's Place. 26 Q. Roy's Place. 27 Q. When did you begin working for LA 8 Weight Loss? 8 A. It was in 2001. I take that back, wrong, wrong. It was either at the end of '98 or the beginning of '99. Q. Hasy your last name always been 15 A. No, it hasn't. It was Temple When I			1	· •
11 Q. If you do answer a question today, we will assume that you understood it. Is that fair? 12 will assume that you understood it. Is that fair? 13 A. Yes. 14 A. Yes. 15 Q. It's best that we speak one person at a time. It tends to cause problems if there's two people speaking at once. So, if we can both try to do that. 18 both try to do that. 19 A. Yes. 10 Q. Where are you employed? 11 A. Roy Passin, Incorporated. 12 Q. Where is that located? 13 A. It's a restaurant. 14 Q. Where is that located? 15 A. It's in Gaithersburg, Old Towne 16 Gaithersburg. 17 A. Roy's Place. 20 Q. If either of the attorneys, myself or you answer the question? 21 Aliza, make an objection today, if you could just wait for us to finish our objection before 22 Page 7 23 Q. And also, at the end of the deposition, you will have an opportunity to tell the court reporter whether or not you wish to review the transcript of your deposition for accuracy. You have a right as a witness to do that, and she can make arrangements with you to give you an opportunity to read the transcript and see if everything is accurate. 10 Q. So, at the end of the deposition just let her know whether or not you wish to do that. 11 A. Okay. 12 Q. So, at the end of the deposition just let her know whether or not you wish to do that. 12 Q. So, at the end of the deposition just let her know whether or not you wish to do that. 13 A. 4/5/62. 14 Q. Where are you employed? A. Roy Passin, Incorporated. A. It's a restaurant. 18 Q. Where is that located? A. It's in Gaithersburg. Gaithersburg. Gaithersburg. A. Roy's Place. 2 Q. Roy's Place. 2 Q. Roy's Place? 3 A. Yes. 4 Q. Have you ever worked for LA Weight Loss? A. It was in 2001. I take that back, wrong, wrong. It was either at the end of '98 or the beginning of '99. Q. Have you an ever worked for LA Weight Loss? A. It was in 2001. I take that back, wrong, wrong. It was either at the end of '98 or the beginning of '99. Q. Have you an opportunity to read the transcript and see if every	1	•	1	
12 will assume that you understood it. Is that 13 fair? 14 A. Yes. 15 Q. It's best that we speak one person at 16 a time. It tends to cause problems if there's 17 two people speaking at once. So, if we can 18 both try to do that. 19 A. Yes. 20 Q. If either of the attorneys, myself or 21 Aliza, make an objection today, if you could 22 just wait for us to finish our objection before Page 7 1 you answer the question? 2 A. Okay. 3 Q. And also, at the end of the 4 deposition, you will have an opportunity to 5 tell the court reporter whether or not you wish 6 to review the transcript of your deposition for 7 accuracy. You have a right as a witness to do 8 that, and she can make arrangements with you to 9 give you an opportunity to read the transcript 10 and see if everything is accurate. 11 A. Okay. 12 Q. So, at the end of the deposition just 13 A. Yes. 14 Q. Where are you employed? 15 A. Roy Passin, Incorporated? 16 A. Roy Passin, Incorporated? 17 A. It's in Gaithersburg, Old Towne 18 Q. Where is that located? 19 A. It's in Gaithersburg. 20 Q. Roy's Place. 21 Q. Roy's Place. 22 Q. Roy's Place. 23 A. Yes. 44 Q. Where is that located? 25 A. It's in Gaithersburg. 26 Q. Roy's Place. 27 Q. Roy's Place. 28 Q. Roy's Place. 29 Q. Have you ever worked for LA Weight Loss? 29 A. It was in 2001. I take that back, wrong, wrong. It was either at the end of '98 or the beginning of '99. 20 Q. Has your last name always been 21 A. No, it hasn't. It was Temple when I				
13 fair? 14 A. Yes. 15 Q. It's best that we speak one person at 16 a time. It tends to cause problems if there's 17 two people speaking at once. So, if we can 18 both try to do that. 19 A. Yes. 20 Q. If either of the attorneys, myself or 21 Aliza, make an objection today, if you could 22 just wait for us to finish our objection before Page 7 1 you answer the question? 2 A. Okay. 3 Q. And also, at the end of the 4 deposition, you will have an opportunity to 5 tell the court reporter whether or not you wish 6 to review the transcript of your deposition for 7 accuracy. You have a right as a witness to do 8 that, and she can make arrangements with you to 9 give you an opportunity to read the transcript 10 and see if everything is accurate. 11 A. Okay. 12 Q. So, at the end of the deposition just 13 let her know whether or not you wish to do 14 that. 13 A. Yes. 14 Q. Where are you employed? 15 A. Roy Passin, Incorporated. 16 Q. Where is that located? 16 Q. Where is that located? 17 A. It's in Gaithersburg, Old Towne 18 Q. Is there like a trade name of the restaurant? 19 A. Roy's Place. 20 Q. Roy's Place. 21 Q. Roy's Place. 22 Q. Roy's Place. 3 A. Yes. 4 Q. Have you ever worked for LA Weight Loss? 4 Yes. 6 Q. When did you begin working for LA Weight Loss? 7 Q. When did you begin working for LA Weight Loss? 8 A. It was in 2001. I take that back, wrong, wrong. It was either at the end of '98 or the beginning of '99. 16 Q. Has your last name always been 15 tenders. 17 A. It's a restaurant. 18 Q. Where is that located? 18 A. It's in Gaithersburg. 20 Gaithersburg. 21 Q. Is there like a trade name of the restaurant? 22 Q. Roy's Place. 23 A. Yes. 4 Q. Where did you begin working for LA weight Loss? 4 Yes. 4 Q. Have you ever worked for LA weight Loss? 4 A. It's in Gaithersburg. 6 Loss? 7 Q. When did you begin working for LA weight Loss? 8 A. It's in Gaithersburg. 9 Q. When did you begin working for LA weight Loss? 9 A. It was in 2001. I take that back, worth and the proportion of the beginning of '99. 10 Q. Has your last na				
14 A. Yes. 15 Q. It's best that we speak one person at 16 a time. It tends to cause problems if there's 17 two people speaking at once. So, if we can 18 both try to do that. 19 A. Yes. 20 Q. If either of the attorneys, myself or 21 Aliza, make an objection today, if you could 22 just wait for us to finish our objection before Page 7 1 you answer the question? 2 A. Okay. 3 Q. And also, at the end of the 4 deposition, you will have an opportunity to 5 tell the court reporter whether or not you wish 6 to review the transcript of your deposition for 7 accuracy. You have a right as a witness to do 8 that, and she can make arrangements with you to 9 give you an opportunity to read the transcript 10 and see if everything is accurate. 11 A. Okay. 12 Q. So, at the end of the deposition just 13 let her know whether or not you wish to do 14 that. 14 Q. Where are you employed? A. Roy Passin, Incorporated? A. It's in Gatithersburg, Old Towne Gaithersburg. Q. Is there like a trade name of the restaurant? Page 7 1 A. Roy's Place. Q. Roy's Place. Q. Roy's Place. Q. Roy's Place. Q. Have you ever worked for LA Weight Loss? A. Yes. Q. When did you begin working for LA Weight Loss? A. It was in 2001. I take that back, wrong, wrong. It was either at the end of '98 or the beginning of '99. Q. Has your last name always been Temple-Passin? A. No, it hasn't. It was Temple when I			1	
Q. It's best that we speak one person at 16 a time. It tends to cause problems if there's 17 two people speaking at once. So, if we can 18 both try to do that. 19 A. Yes. 20 Q. If either of the attorneys, myself or 21 Aliza, make an objection today, if you could 22 just wait for us to finish our objection before Page 7 1 you answer the question? 2 A. Okay. 3 Q. And also, at the end of the 4 deposition, you will have an opportunity to 5 tell the court reporter whether or not you wish 6 to review the transcript of your deposition for 7 accuracy. You have a right as a witness to do 8 that, and she can make arrangements with you to 9 give you an opportunity to read the transcript 10 and see if everything is accurate. 15 A. Roy Passin, Incorporated? 16 Q. What is Roy Passin, Incorporated? 17 A. It's in Gaithersburg, Old Towne 20 Gaithersburg. 21 Q. Is there like a trade name of the restaurant? 22 Page 7 1 A. Roy's Place. 2 Q. Roy's Place. 2 Q. Roy's Place. 3 A. Yes. 4 Q. Have you ever worked for LA Weight Loss? 4 Q. When did you begin working for LA Weight Loss? 5 A. It was in 2001. I take that back, wrong, wrong. It was either at the end of '98 or the beginning of '99. 12 Q. So, at the end of the deposition just let her know whether or not you wish to do 14 that. 18 A. Roy Passin, Incorporated? 1 A. It's a restaurant. 18 Q. Where is that located? 19 A. It's in Gaithersburg, Old Towne 20 Gaithersburg. 21 Q. Bas your law a trade name of the restaurant? 22 Q. Roy's Place. 2 Q. Roy's Place. 3 A. Yes. 4 Q. Have you ever worked for LA Weight Loss? 4 Q. When did you begin working for LA Weight Loss? 4 A. It was in 2001. I take that back, wrong, wrong. It was either at the end of '98 or the beginning of '99. 12 Q. Has your last name always been 13 Temple-Passin? 14 A. No, it hasn't. It was Temple when I			1	·
16 a time. It tends to cause problems if there's 17 two people speaking at once. So, if we can 18 both try to do that. 19 A. Yes. 20 Q. If either of the attorneys, myself or 21 Aliza, make an objection today, if you could 22 just wait for us to finish our objection before Page 7 1 you answer the question? 2 A. Okay. 3 Q. And also, at the end of the 4 deposition, you will have an opportunity to 5 tell the court reporter whether or not you wish 6 to review the transcript of your deposition for 7 accuracy. You have a right as a witness to do 8 that, and she can make arrangements with you to 9 give you an opportunity to read the transcript 10 and see if everything is accurate. 11 A. Okay. 12 Q. So, at the end of the deposition just 13 let her know whether or not you wish to do 14 that. 16 Q. What is Roy Passin, Incorporated? 17 A. It's a restaurant. 18 Q. Where is that located? 19 A. It's in Gaithersburg, Old Towne Gaithersburg. 20 Gaithersburg. 21 Q. Is there like a trade name of the restaurant? Page 7 1 A. Roy's Place. 22 Q. Roy's Place. 23 A. Yes. 4 Q. Have you ever worked for LA Weight Loss? 4 Q. When did you begin working for LA Weight Loss? 4 A. It was in 2001. I take that back, wrong, wrong. It was either at the end of '98 or the beginning of '99. 12 Q. So, at the end of the deposition just let her know whether or not you wish to do 14 that.		· · · - ·	1	
two people speaking at once. So, if we can both try to do that. 19 A. Yes. 20 Q. If either of the attorneys, myself or 21 Aliza, make an objection today, if you could 22 just wait for us to finish our objection before Page 7 1 you answer the question? 2 A. Okay. 3 Q. And also, at the end of the 4 deposition, you will have an opportunity to 5 tell the court reporter whether or not you wish 6 to review the transcript of your deposition for 7 accuracy. You have a right as a witness to do 8 that, and she can make arrangements with you to 9 give you an opportunity to read the transcript 10 and see if everything is accurate. 17 A. It's a restaurant. 18 Q. Where is that located? 19 A. It's in Gaithersburg, Old Towne 20 Gaithersburg. 21 Q. Is there like a trade name of the restaurant? Page 7 1 A. Roy's Place. 2 Q. Roy's Place? 3 A. Yes. 4 Q. Have you ever worked for LA Weight Loss? 4 Q. When did you begin working for LA Weight Loss? 4 A. It's a restaurant. 18 Q. Where is that located? 19 A. It's in Gaithersburg, Old Towne 20 Gaithersburg. 21 Q. Is there like a trade name of the restaurant? Page 7 1 A. Roy's Place. 2 Q. Roy's Place? 3 A. Yes. Q. Have you ever worked for LA Weight Loss? A. Yes. 7 Q. When did you begin working for LA Weight Loss? A. It was in Country and I was either at the end of the spinning of '99. 1 A. Roy's Place. 2 Q. Roy's Place. 3 A. Yes. 4 Q. Have you ever worked for LA Weight Loss? A. It was in Country and I was either at the end of the deposition in the proportion of the beginning of '99. 2 Q. Bo, at the end of the deposition just let her know whether or not you wish to do that. 3 A. Yes. 4 Q. Have you ever worked for LA Weight Loss? 4 Q. Whene ii to deposition of the restaurant. 4 Q. Have you ever worked for LA Weight Loss? 4 Q. Have you ever worked for LA Weight Loss? 4 Q. Have you ever worked for LA Weight Loss? 4 Q. Have you ever worked for LA Weight Loss? 4 Q. Have you ever worked for LA Weight Loss? 4 Q. Have you ever worked for LA Weight Loss? 4 Q. Have y			1	
both try to do that. 19 A. Yes. 20 Q. If either of the attorneys, myself or 21 Aliza, make an objection today, if you could 22 just wait for us to finish our objection before Page 7 1 you answer the question? 2 A. Okay. 3 Q. And also, at the end of the 4 deposition, you will have an opportunity to 5 tell the court reporter whether or not you wish 6 to review the transcript of your deposition for 7 accuracy. You have a right as a witness to do 8 that, and she can make arrangements with you to 9 give you an opportunity to read the transcript 10 and see if everything is accurate. 11 A. Okay. 12 Q. Where is that located? 19 A. It's in Gaithersburg, Old Towne 20 Gaithersburg. 21 Q. Is there like a trade name of the 22 restaurant? Page 7 1 A. Roy's Place. 2 Q. Roy's Place? 3 A. Yes. 4 Q. Have you ever worked for LA Weight 4 Loss? 4 Q. When did you begin working for LA 4 Weight Loss? 9 A. It was in 2001. I take that back, 10 wrong, wrong. It was either at the end of '98 11 or the beginning of '99. 12 Q. Has your last name always been 13 Temple-Passin? 14 A. No, it hasn't. It was Temple when I	1		1	
19 A. Yes. 20 Q. If either of the attorneys, myself or 21 Aliza, make an objection today, if you could 22 just wait for us to finish our objection before Page 7 1 you answer the question? 2 A. Okay. 3 Q. And also, at the end of the 4 deposition, you will have an opportunity to 5 tell the court reporter whether or not you wish 6 to review the transcript of your deposition for 7 accuracy. You have a right as a witness to do 8 that, and she can make arrangements with you to 9 give you an opportunity to read the transcript 10 and see if everything is accurate. 11 A. Okay. 12 Q. So, at the end of the deposition just 13 let her know whether or not you wish to do 14 that. 19 A. It's in Gaithersburg, Old Towne Gaithersburg. 20 Q. Is there like a trade name of the restaurant? Page 7 1 A. Roy's Place. 2 Q. Roy's Place? 3 A. Yes. 4 Q. Have you ever worked for LA Weight Loss? 6 A. Yes. 7 Q. When did you begin working for LA Weight Loss? A. It was in 2001. I take that back, wrong, wrong. It was either at the end of '98 or the beginning of '99. 12 Q. Has your last name always been 13 Temple-Passin? 14 A. No, it hasn't. It was Temple when I				
Q. If either of the attorneys, myself or Aliza, make an objection today, if you could just wait for us to finish our objection before Page 7 Page 7 A. Roy's Place. Q. Roy's Place. Q. Roy's Place? A. Okay. Q. And also, at the end of the deposition, you will have an opportunity to tell the court reporter whether or not you wish to review the transcript of your deposition for accuracy. You have a right as a witness to do that, and she can make arrangements with you to give you an opportunity to read the transcript and see if everything is accurate. A. Okay. Q. When did you begin working for LA Weight Loss? A. It was in 2001. I take that back, wrong, wrong. It was either at the end of '98 or the beginning of '99. Q. Has your last name always been Temple-Passin? A. No, it hasn't. It was Temple when I				•
Aliza, make an objection today, if you could just wait for us to finish our objection before Page 7 you answer the question? A. Okay. Q. And also, at the end of the deposition for accuracy. You have a right as a witness to do sive you an opportunity to read the transcript A. Okay. A. Okay. A. Okay. A. Okay. A. Yes. Q. Have you ever worked for LA Weight Loss? A. Yes. Q. When did you begin working for LA Weight Loss? A. It was in 2001. I take that back, wrong, wrong. It was either at the end of '98 or the beginning of '99. A. Okay. A. It was in 2001. I take that back, wrong, wrong. It was either at the end of '98 or the beginning of '99. A. Has your last name always been Temple-Passin? A. No, it hasn't. It was Temple when I	1			Goithershare
Page 7 page 7 page 7 page 7 page 7 page 7 A. Roy's Place. A. Okay. Q. And also, at the end of the deposition for accuracy. You have a right as a witness to do give you an opportunity to read the transcript A. Okay. A. Okay. A. Okay. A. Okay. A. Yes. Q. Have you ever worked for LA Weight Loss? A. Yes. Q. When did you begin working for LA Weight Loss? A. It was in 2001. I take that back, wrong, wrong. It was either at the end of '98 or the beginning of '99. A. Okay. Q. Has your last name always been temple-Passin? A. No, it hasn't. It was Temple when I	1		i .	
Page 7 1 you answer the question? 2 A. Okay. 3 Q. And also, at the end of the 4 deposition, you will have an opportunity to 5 tell the court reporter whether or not you wish 6 to review the transcript of your deposition for 7 accuracy. You have a right as a witness to do 8 that, and she can make arrangements with you to 9 give you an opportunity to read the transcript 10 and see if everything is accurate. 11 A. Okay. 12 Q. When did you begin working for LA 15 Weight Loss? 16 Weight Loss? 17 Weight Loss? 18 Weight Loss? 19 A. It was in 2001. I take that back, wrong, wrong. It was either at the end of '98 or the beginning of '99. 19 Q. Has your last name always been 10 Temple-Passin? 11 A. Roy's Place. 2 Q. Roy's Place. 3 A. Yes. 4 Q. Have you ever worked for LA Weight Loss? 4 A. Yes. 7 Q. When did you begin working for LA 8 Weight Loss? 9 A. It was in 2001. I take that back, wrong, wrong. It was either at the end of '98 or the beginning of '99. 12 Q. Has your last name always been 13 Temple-Passin? 14 A. No, it hasn't. It was Temple when I		iust wait for us to finish our objection before	1	
1 you answer the question? 2 A. Okay. 3 Q. And also, at the end of the 4 deposition, you will have an opportunity to 5 tell the court reporter whether or not you wish 6 to review the transcript of your deposition for 7 accuracy. You have a right as a witness to do 8 that, and she can make arrangements with you to 9 give you an opportunity to read the transcript 10 and see if everything is accurate. 11 A. Roy's Place. 2 Q. Roy's Place. 3 A. Yes. 4 Q. Have you ever worked for LA Weight 5 Loss? 6 A. Yes. 7 Q. When did you begin working for LA 8 Weight Loss? 9 A. It was in 2001. I take that back, 10 wrong, wrong. It was either at the end of '98 11 or the beginning of '99. 12 Q. Has your last name always been 13 Temple-Passin? 14 that. 14 A. No, it hasn't. It was Temple when I			24	
2 A. Okay. 3 Q. And also, at the end of the 4 deposition, you will have an opportunity to 5 tell the court reporter whether or not you wish 6 to review the transcript of your deposition for 7 accuracy. You have a right as a witness to do 8 that, and she can make arrangements with you to 9 give you an opportunity to read the transcript 10 and see if everything is accurate. 11 A. Okay. 12 Q. Roy's Place? 3 A. Yes. 4 Q. Have you ever worked for LA Weight 5 Loss? 6 A. Yes. 7 Q. When did you begin working for LA 8 Weight Loss? 9 A. It was in 2001. I take that back, 10 wrong, wrong. It was either at the end of '98 11 or the beginning of '99. 12 Q. Has your last name always been 13 Temple-Passin? 14 A. No, it hasn't. It was Temple when I				Page 9
Q. And also, at the end of the deposition, you will have an opportunity to tell the court reporter whether or not you wish to review the transcript of your deposition for accuracy. You have a right as a witness to do that, and she can make arrangements with you to give you an opportunity to read the transcript and see if everything is accurate. A. Okay. Q. When did you begin working for LA Weight Loss? A. It was in 2001. I take that back, wrong, wrong. It was either at the end of '98 11 or the beginning of '99. Q. Has your last name always been 13 Temple-Passin? 14 that. A. No, it hasn't. It was Temple when I			1	A. Roy's Place.
deposition, you will have an opportunity to tell the court reporter whether or not you wish to review the transcript of your deposition for accuracy. You have a right as a witness to do that, and she can make arrangements with you to give you an opportunity to read the transcript and see if everything is accurate. A. Okay. Q. Have you ever worked for LA Weight Loss? A. Yes. Q. When did you begin working for LA Weight Loss? A. It was in 2001. I take that back, wrong, wrong. It was either at the end of '98 or the beginning of '99. Q. Has your last name always been Temple-Passin? Temple-Passin? A. No, it hasn't. It was Temple when I		_	i	Q. Roy's Place?
tell the court reporter whether or not you wish to review the transcript of your deposition for accuracy. You have a right as a witness to do that, and she can make arrangements with you to give you an opportunity to read the transcript and see if everything is accurate. A. Okay. Q. When did you begin working for LA Weight Loss? A. It was in 2001. I take that back, wrong, wrong. It was either at the end of '98 or the beginning of '99. Q. So, at the end of the deposition just let her know whether or not you wish to do that, and she can make arrangements with you to wrong, wrong. It was either at the end of '98 or the beginning of '99. Q. Has your last name always been Temple-Passin? A. No, it hasn't. It was Temple when I	1	•	3	A. Yes.
to review the transcript of your deposition for accuracy. You have a right as a witness to do that, and she can make arrangements with you to give you an opportunity to read the transcript and see if everything is accurate. A. Okay. Q. When did you begin working for LA Weight Loss? A. It was in 2001. I take that back, wrong, wrong. It was either at the end of '98 or the beginning of '99. Q. So, at the end of the deposition just let her know whether or not you wish to do that. A. No, it hasn't. It was Temple when I	1		į.	
accuracy. You have a right as a witness to do that, and she can make arrangements with you to give you an opportunity to read the transcript and see if everything is accurate. A. Okay. Q. When did you begin working for LA Weight Loss? A. It was in 2001. I take that back, wrong, wrong. It was either at the end of '98 or the beginning of '99. Q. Has your last name always been Temple-Passin? A. No, it hasn't. It was Temple when I			5	Loss?
that, and she can make arrangements with you to give you an opportunity to read the transcript and see if everything is accurate. A. Okay. Q. So, at the end of the deposition just let her know whether or not you wish to do 14 that. Weight Loss? A. It was in 2001. I take that back, wrong, wrong. It was either at the end of '98 10 or the beginning of '99. Q. Has your last name always been Temple-Passin? A. No, it hasn't. It was Temple when I				
that, and she can make arrangements with you to give you an opportunity to read the transcript and see if everything is accurate. A. Okay. Q. So, at the end of the deposition just let her know whether or not you wish to do 14 that. Weight Loss? A. It was in 2001. I take that back, wrong, wrong. It was either at the end of '98 10 or the beginning of '99. Q. Has your last name always been Temple-Passin? A. No, it hasn't. It was Temple when I			7	Q. When did you begin working for LA
and see if everything is accurate. 10 wrong, wrong. It was either at the end of '98 11 A. Okay. 12 Q. So, at the end of the deposition just 13 let her know whether or not you wish to do 14 that. 10 wrong, wrong. It was either at the end of '98 11 or the beginning of '99. 12 Q. Has your last name always been 13 Temple-Passin? 14 A. No, it hasn't. It was Temple when I			8	
10 and see if everything is accurate. 11 A. Okay. 12 Q. So, at the end of the deposition just 13 let her know whether or not you wish to do 14 that. 10 wrong, wrong. It was either at the end of '98 11 or the beginning of '99. 12 Q. Has your last name always been 13 Temple-Passin? 14 A. No, it hasn't. It was Temple when I			9	A. It was in 2001. I take that back,
11 A. Okay. 12 Q. So, at the end of the deposition just 13 let her know whether or not you wish to do 14 that. 11 or the beginning of '99. 12 Q. Has your last name always been 13 Temple-Passin? 14 A. No, it hasn't. It was Temple when I	1		10	wrong, wrong. It was either at the end of '98
13 let her know whether or not you wish to do 14 that. 12 Q. Has your last hame always been 13 Temple-Passin? 14 A. No, it hasn't. It was Temple when I			11	
14 that. 14 A. No, it hasn't. It was Temple when I	Į.		12	Q. Has your last name always been
11. 110, it has it. it was reimple when i		· · · · · · · · · · · · · · · · · · ·	13	
			14	A. No, it hasn't. It was Temple when I
To was working for Lift worght Loss,	15	A. I will do that.	15	was working for LA Weight Loss.
16 Q. Just for the record, could you state 16 Q. The company records show that you we		 Q. Just for the record, could you state 	16	
17 your full name, please? 17 hired on or about August 10th of 1998. Does		your full name, please?	17	hired on or about August 10th of 1998. Does
18 A. Melinda Temple-Passin. 18 that date sound correct?	18	4	18	that date sound correct?
19 Q. What is your home address currently? 19 A. Yes, it does.	19	Q. What is your home address currently?	19	
20 A. 13021 Birdale Lane, Gaithersburg, 20 Q. What position were you hired to do	20	A. 13021 Birdale Lane, Gaithersburg,	20	
21 Maryland. 21 when you first started at LA Weight Loss.	21	Maryland.	21	
Q. Do you reside anywhere else for any 22 A. I was hired as a manager in the	22	Q. Do you reside anywhere else for any	22	A. I was hired as a manager in the

3 (Pages 6 to 9)

	Page 10		Page 12
1	Herndon location.	1	show that your employment ended with LA Weight
2	Q. So, like a center manager of the	2	Loss on or about May 10th of 2000. Does that
3	Herndon center?	3	sound accurate?
4	A. Correct.	4	A. That's accurate. I was trying to get
5	Q. In your capacity as a center manager	5	it right with my marriage and when I was
6	at the Herndon center, did you have any duties	6	married, how long after. And we were married
7	or responsibilities relating to hiring of new	7	in 2001, so that's right. We had dated a year
8	employees?	8	before we were married.
9	A. Not really as a manager. If people	9	Q. Did you resign from your employment at
10	came in and applied for a job there or we	10	LA Weight Loss or were you discharged?
11	received faxes, then, I would give them to my	11	A. I resigned.
12	area supervisor or the regional supervisor at	12	Q. Going back to when you were first
13	that point.	13	promoted to area supervisor, who was your
14	Q. Other than that duty, you did not have	14	direct supervisor at that time?
15	any duties in the hiring process?	15	A. Christine Stone-Seifer (phonetic), it
16	A. No, I did not.	16	was either she or Joy Freathy. Actually, it
17	Q. Did you also hold the position of area	17	would have been Christine, because Joy was
18	supervisor at LA Weight Loss?	18	promoted to a regional at that point.
19	A. Yes, I did. I was promoted.	19	Q. Did you report to Joy Freathy?
20	Q. Do you recall when you were promoted	20	A. I did. I had that wrong. It was
21	to that position?	21	Christine Stone-Seifer was my area when I was a
22	A. Probably it's been so long ago,	22	manager, and Joy was the regional. And then,
	Page 11		Page 13
1	it's just really hard to remember. It was	,	
2	within a year.	1 2	when I was promoted to area was when Christine
3	Q. And again, the company records show	3	had been moved to a different area, so I
4	that you were promoted I'll represent to you	4	reported to Joy. O. So, when you first started as area
5	that they show you were promoted on or about	5	, , , , , , , , , , , , , , , , , , , ,
6	March 22, 1999. Does that sound accurate?	6	supervisor, you reported to Joy Freathy. A. Yes.
7	A. Yes, it does.	7	1
8	Q. As an area supervisor with LA Weight	8	Q. And her title was regional supervisor? A. Yes, it was.
9	Loss, which centers were under your	9	Q. At some point, did an individual named
10	supervision?	10	Colleen also serve as your direct supervisor?
11	A. I had Herndon, Rockville,	11	A. Yes, she did.
12	Gaithersburg, Frederick, Hagerstown, and opened	12	Q. And this was while you were an area
13	D.C.	13	supervisor?
14	Q. Do you recall when you opened D.C.?	14	A. Yes.
15	A. I would guess it was probably in 2000.	15	Q. And was Colleen's title regional
16	Q. Do you recall when your employment at	16	supervisor?
17	LA Weight Loss ended?	17	A. Yes, it was.
18	A. It would have been in I believe it	18	
19	was April or May of 2001, I believe that's	19	MS. KARETNICK: Objection to form. BY MR. PHILLIPS:
20	when. I'm not good on dates. Really, I'm not.	20	Q. What was Colleen's title, to your
21	Q. And I'll try to help you out on that.	21	knowledge?
22	I'll represent to you that the company records	22	A. She was a regional supervisor.
- marital distance	1 January 1000103		11. Due was a regional supervisor.

4 (Pages 10 to 13)

19

20

21

22

discussion you had had with Colleen about the

issue of hiring or not hiring men, do you

recall the name of that applicant?

A. I don't. I do not.

6 (Pages 18 to 21)

With regard to the statements you

testified to earlier, was Colleen your regional

supervisor at the time she made those

heard Colleen making on the telephone, that you

19

20

21

22